S.B. Civil Misc. Appeal No.1120/99
Ram Lal Vs. Shyam Lal & Ors.

Date of Judgment : 12/04/2006

Hon'ble Mr. Justice Ajay Rastogi

Mr. Vinay Mathur, for appellant
Mr. S.C. Purohit, for respondents

Instant appeal has been filed for seeking enhancement of amount awarded by the learned Tribunal vide impugned award dt.12th April, 1999.

The appellant-claimant who met with an accident on 10th July from offending vehicle i.e. Geep No.RJ-14-7118 and on medical examination he got injury to the extent of 10.67%. It has also come on record that he was working as Labourer in a Carpate Factory. The learned Tribunal assessed his income of Rs.2,000/- and taking into consideration the overall material a sum of Rs.46,000/- has been awarded including in all heads.

Counsel for appellant submits that the income assessed by the Tribunal is not in consonance with the material on record and that requires interference by this court and according to him, revising income will certainly change overall compensation awarded to him.

I have gone through the material and so also order impugned. In my opinion, the finding recorded even with regard to his income is duly supported by material on record and what has been awarded is just & equitable, requires no interference in the impugned award.

Consequently, appeal fails and is hereby stands dismissed.

[Ajay Rastogi],J.

FRB